REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 3, 5-12, 14-16, 26, 28-36 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over by Parikh et al. in view of Williams et al. The Applicants respectfully disagree.

Parikh et al. teach a call management system (CMS) 110 that is a physical network termination having a plurality of voice cards 133 that terminate trunk(s) or line(s) connections to the PSTN 134 for providing an inbound call treatment service. Contrary to the position expressed in the Office action, Parikh et al. neither teach nor suggest a single number service and there is no evidence to support that they teach that.

As explained repeatedly in past responses, Parikh et al. teach a fundamentally different approach to the problem solved by the instant invention, in which physically terminated calls to service subscribers are all processed in accordance with a single service model, i.e.: a SMS message containing a menu of options is sent to the caller to request instructions (FIG. 4) unless the subscriber's Caller ID is not available (FIG. 5). If the Caller ID is not available and the caller refuses to key in his telephone number but speaks his name, the subscriber is called to deliver the caller name (156, FIG. 5). All calls receive default call treatment (162, FIG.6), which is "Handset Off" default call handling, i.e. transferring the call to voicemail (Col. 8, lines 53-58). Responses received after a default elapsed time (late responses) are ignored, unless "voicemail with eavesdrop" for a call transferred to the internal voice mail system has been selected (Col. 9, lines 1-9).

As also explained in past responses, Williams et al. teach a method and system for local call discrimination in which "1-800" calls to service facilities are interrupted at the local calling area level to determine the service resource required and/or the availability of the service resource to which the call should be directed before the call is extended across the network to consume valuable network resources unnecessarily. Williams et al. neither teach nor suggest anything associated with subscriber control of inbound calls or single number service.

With respect to claims 1 and 26 and 29, although claims 1, 26 and 29 clearly distinguished over the teachings of Parikh et al. and Williams et al. for all of the reasons set forth in the last response filed, claims 1, 26 and 29 are amended to address the position expressed in the Response to Arguments that the claims employ a broader scope than Applicants' disclosure in all aspects. While Applicants agree that the Examiner is required to interpret the claims limitations in terms of their broadest reasonable interpretation, the Examiner is also required to avoid hindsight analysis and to refrain from reading into the prior art novel features of the claimed invention, each of which are consistently done.

Accordingly, claims 1, 26 and 29 are amended to claim configuring a directory number of the inbound call control service subscriber as a locally ported directory

number in accordance with a Local Number Portability deployment, so that all calls to the directory number are routed through the PSTN to a call service node (CSN) that is a virtual service switching point in the PSTN; and receiving a call initiation message at the CSN, the call initiation message being associated with a call from a caller who dialed the locally ported directory number of the inbound call control service subscriber.

Parikh et al. teach (Col. 4, lines 51-63) that: "Telephone calls are directed to the call management system 110 by the public telephone network 134 in accordance with each subscriber's "public" telephone number. The subscriber's public telephone number is typically a direct inward dial telephone number assigned to the call management system 110. Alternately, the subscriber's directory number may be mapped to the call management system from the subscriber's directory number using standard call forwarding, selective call acceptance, an Advanced Intelligent Network (AIN) trigger, or other delivery trigger method (e.g., by resetting the home location register (HLR) maintained by a wireless telephone network company to a number associated with the call management system 110)."

The Office action incorrectly argues that "resetting the home location register (HLR) maintained by a wireless telephone network company to a number associated with the call management system 110" is local number portability. With respect, this is a simple type of call forwarding where the DID number assigned to the call management system 110 becomes the call forward number. As is well understood by any person skilled in the art, the HLR cannot be used to support LNP for many reasons.

Williams et al. teach local call discrimination of calls of a given class, i.e. "1-800" numbers. Williams et al. teach nothing respecting call routing based on local number portability.

It is therefore respectfully submitted that on a fair interpretation of the limitations of newly amended claims 1 and 26, neither claim 1 nor 26 is obvious in view of, Parikh et al. and Williams et al.

The rejection of claims 1 and 26 is thereby traversed

With regards to claims 3 and 28, with respect the arguments presented are baseless. First, claims 3 and 28 respectively depend from claims 2 and 27, not from claims one and 26. Claims 3 and 28 claim a method of routing a call to the CSN. No similar method is taught or suggested by Parikh et al. or Williams et al. Furthermore, Parikh et al. teach physical line terminations. Consequently, the call management system, as understood by any person skilled in the art, cannot generate an IAM message or forward an IAM message through the PSTN. The call management system can only originate a new call, which is then bridged to the terminated, incoming call ("connect the incoming call to the forwarded number"; Col. 6, lines 1- 2). The rejection of claims 3 and 28 is thereby traversed.

Regarding claims 5 and 30, with respect the arguments presented by the Office Action are without merit. Claims 5 and 30 claim examining a service subscriber

profile to determine at least one data network address, and sending an inbound call notification message to each messaging network address specified in the service subscriber profile. The Office Action equates examining a CLID passed to the CMS (Parikh et al., Col. 5, lines 12-16) with the subject matter of claims 5 and 30. This is neither a fair nor a supportable interpretation of the teachings of Parikh et al., and the rejection of claims 5 and 30 is thereby traversed.

Regarding claims 6-7 and 32-33, with respect the method of forwarding the call from the CSN to a call park facility cannot be practiced using any combination of Parikh et al. and Williams et al. Parikh et al. begin call treatment only after the call is terminated. In order to "forward the call to a forwarding number or an external mailbox" (Col. 5, lines 37-38), Parikh et al. must originate a new call to the forwarded number or the external mail box and bridge the new call to the terminated call. Any person skilled in the art understands this and how it must work. Williams et al. teach nothing that would remedy this deficiency because the methods of Williams et al. cannot be applied to a call that has been terminated in the way taught by Parikh et al. The rejection of claims 6-7 and 32-33 is thereby traversed.

With regard to claims 8-9, the arguments presented by the Office Action are, with all due respect, simply incorrect. Parikh et al. use an internal voice mail application 128 to permit "voice mail eavesdropping". A trunk monitor is neither taught or suggested, and could not be used in any event in the system taught by Parikh et al. because call control would be lost. Williams et al. teach nothing to overcome this shortcoming. The argument presented by the Office Action is that the dedicated trunk line used by Parikh et al. to connect to an external voice mail system (Col. 6, lines 45-58) is somehow equivalent to monitoring a voice trunk to extract voice content. This is not a broad interpretation of the claim, this is a clear misinterpretation of the teachings of the prior art reference. Furthermore, Parikh et al. teach (Col. 4, lines 8) that "to eavesdrop on the voicemail and potentially to pick up the call, may also be provided. This option requires a three-way connection between the caller 100, the voicemail system, and the subscriber's handset 106". This teaches directly away from the method claimed in claims 8 and 9. The rejection of claims 8 and 9 is thereby traversed.

Regarding claims 10 and 34, Parikh et al. do not explicitly teach or suggest a service subscriber profile. And, they most certainly do not teach or suggest searching the service subscriber profile to determine whether the calling party number is associated with a specific voice mail box. Nor does Parikh et al. teach or suggest forwarding the call to an announcement player. They only teach playing "a message asking the caller to hold" (Col. 4, line 27). The Office Action cites Col 5., lines 36-39, but this describes actions taken after the subscriber response is received, i.e. acting on subscriber instructions received in response to the SMS message, not actions taken while waiting for a response. In any event those actions are in no way equivalent to the methods claimed in claims 10 and 34.

Williams et al. teach nothing to overcome these shortcomings. The rejection of claims 10 and 34 is thereby traversed.

Regarding claims 11 and 35, contrary to the position taken by the Office Action it is clear to any person skilled in the art that neither Parikh et al. nor Williams et al. teach inserting a subscriber telephone number associated with the voice mail box in a redirecting number field of the call initiation message, if the subscriber telephone number associated with the voice mail box is different from the dialed telephone number in the original called number field of the call initiation message. Parikh et al. specifically teach that "the redirecting number is set equal to the number dialed by the caller to reach the subscriber" (col. 6, line 66-Col. 7, line2). The rejection of claims 11 and 35 is thereby traversed.

Regarding claim 12, Parikh et al. do not teach or suggest controlling a call using call control messages sent from a virtual service switching point in the PSTN, and cannot do so because the call has been terminated to their call termination equipment. Williams et al. teach nothing that remedies this deficiency. The rejection of claim 12 is thereby traversed.

Regarding claim 14, the Office action equates forwarding the call to a voice mailbox to "transferring the call to voicemail", which is a system internal function of the equipment taught by Parikh et al. The two are not equivalent, as understood by any person skilled in the art, and the rejection of claim 14 is traversed.

Regarding claim 15, the arguments applied above with respect to claims 1 and 12 apply and the rejection of claim 15 is thereby traversed.

Regarding claims 16 and 38, with due respect the position taken by the Office Action is not understood. As explained by Parikh et al. (Col. 4, lines 31-37) if the subscriber requests a callback number, the call management system requests the callback number but the subscriber must use it to call the calling party back at some later time. This teaches directly away from the claimed invention. Williams et al. teach nothing to remedy this deficiency. The rejection of claims 16 and 38 is thereby traversed.

Regarding claim 31, the arguments presented with respect to claim 26 apply, and the rejection of claim 31 is thereby traversed.

Regarding claim 36, the arguments presented above with respect to claim 26 apply and the rejection of claim 36 is thereby traversed.

Regarding claims 2 and 27, in spite of the position taken by the Office Action, it is well understood by those skilled in the art that a HLR cannot be used for local number portability. Neither Parikh et al. nor Williams et al. teach or suggest using LNP to route calls to a CSN to effect service subscriber inbound call control. As acknowledged by the Office Action, Williams '801 teaches a method for LNP that eliminates the high costs and time delays associated with queries to a remote database, which teaches directly away from the claimed invention. Furthermore, Williams '801 does not teach anything about inbound call handling or single number service. Even if the known technique of Williams

'801 were combined with the known device of Parikh et al., which has not been done, it could only have yielded a way to direct calls to the Parikh et al. call terminating equipment, as per the novel methods claimed in claims 1 and 2 or 26 and 27. The rejection of claims 2 and 27 is thereby traversed.

Claims 13 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parikh et al. in view of Williams et al. in view of Bannister et al. However, no combination of Parikh et al., Williams et al. and Bannister et al. yields the method claimed in claims 13 and 37, and the claims from which they depend, as explained in detail above. The rejection of claims 13 and 37 is thereby traversed.

Claims 1, 2, 5, 8, 10-12, 15 and 16 have been amended to clearly distinguish over the cited references, and to improve clarity.

Claims 26, 27, 29-31, 33 and 35-38 have been amended for the same reasons.

No new matter has been added and no further search is required. It is therefore respectfully requested that this amendment be entered and the application passed to allowance.

In view of the amendments made to the above-noted claims, and for reasons set forth above in detail, this application is now considered to be in a condition for immediate allowance. Favorable reconsideration and issuance of a Notice of Allowance are therefore requested.

Respectfully submitted,
L. LLOYD WILLIAMS et al.

By _____
Wayne H. YAN
Registration No. 44,485
Agent for Applicant

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Address: Ogilvy Renault LLP
Suite 2500
1 Place Ville Marie
Montreal, QC H3B 1R1
Canada

Email: wyan@ogilvyrenault.com
Phone: (613) 780-8682
Fax: (613) 230-6706